

SELF SERVICE CENTER

PROCEDURES: FOR FILING THE PETITION AND COURT PAPERS FOR TEMPORARY ORDERS

Here are the steps to ask the court for **TEMPORARY** orders while you wait for your divorce, legal separation, or annulment to be final. This process has several steps. After you complete filling in the court papers, follow each step in order as described below:

STEP 1: MAKE COPIES OF ALL THE PAPERWORK. Make 3 copies of all of the documents to make sure that you have enough copies of all of the documents. Assemble the original and copies so that you have **4 PACKETS**: one for the Clerk of the Court, one for the judge, one for you, and one for the other party. Here is a list of the documents in each packet:

PACKET ONE: ORIGINALS FOR THE CLERK OF THE COURT

- ✓ Original ***"Petition for Temporary Orders"*** (with children or without children, depending on your case)
- ✓ Original ***"Affidavit of Financial Information"*** that you completed.

PACKET TWO: ORIGINALS AND/OR COPIES FOR THE JUDGE IN THE FOLLOWING ORDER

- ✓ Copy of ***"Petition for Temporary Orders"*** (with children or without children, depending on your case)
- ✓ Original ***"Order to Appear for Petition for Temporary Orders"***
- ✓ Copy of ***"Affidavit of Financial Information"*** that you completed
- ✓ Original ***"Parent's Worksheet on Child Support"*** that you completed (only if you are asking for temporary child support.)
- ✓ Copy of ***"Family Court Department Notice about Returns/Conferences"*** and ***"Family Court Department Notice on Temporary Hearings"***
- ✓ Original ***"Parenting Plan"*** (only if you are asking for temporary child custody/visitation.)
- ✓ Original Temporary Order (with children or without children, depending on your case)
- ✓ Original ***"Order of Assignment"*** (only if you are asking for temporary child support)
- ✓ Original ***"Judgment Data Sheet"*** (if you are asking for child support or spousal support)

PACKET THREE: ORIGINALS AND/OR COPIES FOR YOU

- ✓ Copy of ***"Petition for Temporary Orders"*** (with children or without children, depending on your case)
- ✓ Copy of ***"Order to Appear for Petition for Temporary Orders"***
- ✓ Copy of ***"Affidavit of Financial Information"*** that you completed
- ✓ Copy of ***"Parent's Worksheet on Child Support"*** that you completed (only if you are asking for temporary child support.)
- ✓ Copy of Temporary Order (with children or without children, depending on your case)
- ✓ Copy of ***"Order of Assignment"*** (only if you are asking for temporary child support)
- ✓ Copy of ***"Family Court Department Notice about Returns/Conferences"*** and ***"Family Court Department Notice about Temporary Hearings"***
- ✓ Copy of ***"Parenting Plan"*** (only if you are asking for temporary child custody/visitation.)
- ✓ Copy of Temporary Order (with children or without children, depending on your case)
- ✓ Copy of ***"Order of Assignment"*** and ***"Employer Information Sheet"*** (only if you are asking for temporary child support)
- ✓ Copy of ***"Judgment Data Sheet"*** (if you are asking for child support or spousal support)

PACKET FOUR: ORIGINALS AND/OR COPIES FOR THE OTHER PARTY

- ✓ Copy of ***"Petition for Temporary Orders"*** (with children or without children, depending on your case)
- ✓ Copy of ***"Order to Appear for Petition for Temporary Orders"***
- ✓ Copy of ***"Affidavit of Financial Information"*** that you completed
- ✓ Copy of ***"Parents Worksheet on Child Support"*** that you completed (only if you are asking for temporary child support.)
- ✓ Copy of Temporary Order (with children or without children, depending on your case)
- ✓ Copy of ***"Order of Assignment"*** (only if you are asking for temporary child support.)
- ✓ Blank copy of ***"Affidavit of Financial Information"***
- ✓ Blank copy of ***"Parent's Worksheet on Child Support"*** (only if you are asking for temporary child support)
- ✓ Copy of ***"Family Court Department Notice about Returns/Conferences"*** and ***"Family Court Department Notice about Temporary Hearings"***
- ✓ Copy of ***"Parenting Plan"*** (only if you are asking for temporary child custody/visitation.)

STEP 2 FILE THE PAPERS AT THE COURT

- ✓ **GO TO THE CLERK'S OFFICE:** Take all 4 packets of the documents to the Clerk of the Court in Phoenix: 201 W. Jefferson, 1st floor; or Mesa: 222 E. Javelina, 1st floor; or 14264 W. Tierra Buena Lane, Surprise. The Clerk will file the original of the Petition for Temporary Orders, and the Affidavit of Financial Information (PACKET ONE). The Clerk will clerk-stamp copies of the documents to show which documents were filed. **USE YOUR CASE NUMBER:** The case number assigned when you filed your Petition for Divorce, Legal Separation, or Annulment is stamped in the upper right-hand corner of all the documents the clerk stamped for you. The case number could start with "DR" or "FC" or "FN". **Use this number on every paper you file with the court for this case.**

STEP 3 TO GET THE HEARING ON THE TEMPORARY ORDERS

- ✓ After you have filed your documents with the Clerk of the Court, take your documents (3 packets now) to the Family Court Administration Filing Counter in the same court where you filed your court papers with the Clerk of the Court:

Phoenix Location: 201 West Jefferson, Central Court Building, 6th Floor
Phoenix, Arizona

Mesa Location: 222 E. Javelina, 2nd Floor
Mesa, Arizona

Surprise Location: 14264 West Tierra Buena Lane, **Surprise**, Arizona

BRING WITH YOU A SELF-ADDRESSED STAMPED ENVELOPE that is 9 ½" by 12 ½", which is big enough to fit all 3 packets. Make sure to put enough postage on the envelope. We recommend that you have the 3 packets weighed to know the exact amount of postage you need (It will probably be close to \$2.00). Family Court staff will deliver the documents to the judge. The judge's staff will fill in the **ORDER TO APPEAR**, that tells the date, time, and place of the court hearing for the Petition for Temporary Orders. After the court hearing date is filled in, staff will mail it to you to save you another trip to the courthouse.

STEP 4 SERVE THE COURT PAPERS ON THE OTHER PARTY.

You must arrange for the other party to receive the court papers. You already have the copies made for the other party. The best way to make sure that the other party is properly served with the court papers is to serve them by registered process server or the Sheriff. The Self-Service Center packet on

service has all the forms and instructions on how to do this. Then serve the other party with Packet Four above.

STEP 5 BEFORE THE HEARING. Be sure that the Affidavit of Service is completed and in the court file before your hearing date. Try to do this as soon as possible. If you can, do it at least 5 court days before the hearing. Otherwise, bring the Affidavit of Service with you to the hearing to show the judge that the other party was served with the court papers. Also bring Packet Three, your copy of the documents with you to the hearing.

STEP 6 AT THE HEARING. Be sure to write down the date, time and place of the court hearing, and come to the hearing on time. Dress neatly. Be prepared to tell the judge about the case, and why the temporary order is necessary. Bring all paperwork with you that you think the judge should look at, such as reports about the children and financial records.

DO NOT BRING CHILDREN TO COURT.

STEP 7 OTHER HELP. If you still have questions about this procedure, you can ask a lawyer for help. You can look up a lawyer in the telephone book under "attorneys." Also, the Self-Service Center has a list of lawyers who help people on a task-by-task basis for a fee. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what his or her experience is.

**ALL FORMS REFERRED TO IN THESE INSTRUCTIONS
ARE AVAILABLE AT THE SELF SERVICE CENTER.**